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►B REGULATION (EU) No 1293/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 11 December 2013

on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007

(Text with EEA relevance)

(OJ L 347, 20.12.2013, p. 185)

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		No	page	date
►M1	Commission Delegated Regulation (EU) 2018/93 of 16 November 2017	L 17	5	23.1.2018
►M2	Regulation (EU) 2018/1475 of the European Parliament and of the Council of 2 October 2018	L 250	1	4.10.2018

▼B

REGULATION (EU) No 1293/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 11 December 2013

on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007

(Text with EEA relevance)

TITLE I

THE PROGRAMME FOR THE ENVIRONMENT AND CLIMATE ACTION (LIFE)

Article 1

Establishment

A Programme for the Environment and Climate Action covering the period from 1 January 2014 to 31 December 2020 (the "LIFE Programme") is hereby established.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(a) "pilot projects" means projects that apply a technique or method that has not been applied or tested before, or elsewhere, that offer potential environmental or climate advantages compared to current best practice and that can subsequently be applied on a larger scale to similar situations;

(b) "demonstration projects" means projects that put into practice, test, evaluate and disseminate actions, methodologies or approaches that are new or unknown in the specific context of the project, such as the geographical, ecological, socio-economic context, and that could be applied elsewhere in similar circumstances;

(c) "best practice projects" means projects that apply appropriate, cost-effective and state-of-the-art techniques, methods and approaches taking into account the specific context of the project;

(d) "integrated projects" means projects implementing on a large territorial scale, in particular, regional, multi-regional, national or trans-national scale, environmental or climate plans or strategies required by specific Union environmental or climate legislation, developed pursuant to other Union acts or developed by Member States' authorities, primarily in the areas of nature, including, inter alia, Natura 2000 network management, water, waste, air and climate change mitigation and adaptation, while ensuring involvement of stakeholders and promoting the coordination with and mobilisation of at least one other relevant Union, national or private funding source;

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(e) "technical assistance projects" means projects providing, by way of action grants, financial support to help applicants prepare integrated projects, and in particular to ensure that those projects comply with the timing, technical and financial requirements of the LIFE Programme in coordination with funds referred to in Article 8(3);

(f) "capacity-building projects" means projects providing, by way of action grants, financial support to the activities required to build the capacity of Member States, including LIFE national or regional contact points, with a view to enabling Member States to participate more effectively in the LIFE Programme;

(g) "preparatory projects" means projects primarily identified by the Commission in cooperation with Member States to support specific needs for the development and implementation of Union environmental or climate policy and legislation;

(h) "information, awareness and dissemination projects" means projects aimed at supporting communication, dissemination of information and awareness raising in the fields of the sub-programmes for Environment and Climate Action.

Article 3

General objectives and performance indicators

1. The LIFE Programme shall in particular have the following general objectives:

(a) to contribute to the shift towards a resource-efficient, low-carbon and climate- resilient economy, to the protection and improvement of the quality of the environment and to halting and reversing biodiversity loss, including the support of the Natura 2000 network and tackling the degradation of ecosystems;

(b) to improve the development, implementation and enforcement of Union environmental and climate policy and legislation, and to act as a catalyst for, and promote, the integration and mainstreaming of environmental and climate objectives into other Union policies and public and private sector practice, including by increasing the public and private sector's capacity;

(c) to support better environmental and climate governance at all levels, including better involvement of civil society, NGOs and local actors;

(d) to support the implementation of the 7th Environment Action Programme.

In pursuing those objectives, the LIFE Programme shall contribute to sustainable development and to the achievement of the objectives and targets of the Europe 2020 Strategy and of relevant Union environment and climate strategies and plans.

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2. The general objectives set out in paragraph 1 shall be pursued through the following sub-programmes:

(a) the sub-programme for Environment;

(b) the sub-programme for Climate Action.

3. The performance of the LIFE Programme shall be assessed, in particular, against the following indicators:

(a) as regards the general objective referred to in point (a) of paragraph 1, attributable environmental and climate improvements. In relation to the objective of contributing to halting and reversing biodiversity loss, attributable environmental improvements shall be measured through the percentage of the Natura 2000 network restored or brought to adequate management, surface and type of ecosystems restored, and number and type of habitats and species targeted with improving conservation status;

(b) as regards the general objectives linked to development and implementation referred to in point (b) of paragraph 1, the number of interventions developed or undertaken that implement plans, programmes or strategies pursuant to Union environmental or climate policy and legislation, and the number of interventions suitable for replication or transfer;

(c) as regards the general objectives linked to integration and mainstreaming referred to in point (b) of paragraph 1, the number of interventions achieving synergies with or mainstreamed into other Union funding programmes, or integrated into public or private sector practice;

(d) as regards the general objective referred to in point (c) of paragraph 1, the number of interventions to ensure better governance, dissemination of information and awareness of environmental and climate aspects.

The Commission shall be empowered to adopt delegated acts in accordance with Article 29 to further define the performance indicators in view of their application to the priority areas and thematic priorities referred to in Article 9 and Annex III respectively as regards the sub-programme for Environment, and in Article 13 as regards the sub-programme for Climate Action.

Article 4

Budget

1. The financial envelope for the implementation of the LIFE Programme for the period from 2014 to 2020 is set at EUR 3 456 655 000 in current prices, which amounts to 0,318 % of the total amount of commitment appropriations as referred to in Regulation (EU) No 1311/2013.

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The annual appropriations shall be authorised by the European Parliament and by the Council within the limits of the multiannual financial framework.

2. The budgetary breakdown for the sub-programmes shall be as follows:

(a) EUR 2 592 491 250 of the overall financial envelope referred to in paragraph 1 shall be allocated to the sub-programme for Environment;

(b) EUR 864 163 750 of the overall financial envelope referred to in paragraph 1 shall be allocated to the sub-programme for Climate Action.

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3. The sub-programme for Environment corresponding to the priority area Environment Governance and the sub-programme for Climate Action corresponding to the priority area Climate Governance and Information may finance projects within the meaning of Article 17(4) of this Regulation implemented by the European Solidarity Corps in accordance with Regulation (EU) 2018/1475 of the European Parliament and of the Council ([1]), which contribute to one or more of the priority areas within the meaning of Articles 9 and 13 of this Regulation. Those projects shall be implemented solely in accordance with the Regulation (EU) 2018/1475, to the exclusion of the specific requirements of this Regulation.

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Article 5

Participation of third countries in the LIFE Programme

The LIFE Programme shall be open to the participation of the following countries:

(a) European Free Trade Association (EFTA) countries which are parties to the Agreement on the European Economic Area (EEA);

(b) candidate countries, potential candidates and acceding countries to the Union;

(c) countries to which the European Neighbourhood Policy applies;

(d) countries which have become members of the European Environmental Agency in accordance with Council Regulation (EC) No 933/1999 ([2]).

Such participation shall be pursued in accordance with the conditions laid down in the respective bilateral or multilateral agreements establishing the general principles for those third countries' participation in Union programmes.

([1]) Regulation (EU) 2018/1475 of the European Parliament and of the Council of 2 October 2018 on laying down the legal framework of the European Solidarity Corps and amending Regulation (EU) No 1288/2013, Regulation (EU) No 1293/2013 and Decision No 1313/2013/EU (OJ L 250, 4.10.2018, p. 1).

([2]) Council Regulation (EC) No 933/1999 of 29 April 1999 amending Regulation (EEC) No 1210/90 on the establishment of the European Environmental Agency and the European environment information and observation network (OJ L 117, 5.5.1999, p. 1).

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Article 6

Activities outside the Union or in overseas countries and territories

1. Without prejudice to Article 5, the LIFE Programme may finance activities outside the Union and in overseas countries and territories (OCTs) in accordance with Decision 2001/822/EC (the Overseas Association Decision), provided those activities are necessary to achieve Union environmental and climate objectives and to ensure the effectiveness of interventions carried out in Member State territories to which the Treaties apply.

2. A legal person established outside the Union may be able to participate in the projects referred to in Article 18, provided the beneficiary coordinating the project is based in the Union and the activity to be carried out outside the Union meets the requirements set out in paragraph 1 of this Article.

Article 7

International cooperation

In the course of implementing the LIFE Programme, cooperation with relevant international organisations, and with their institutions and bodies, shall be possible where needed for the purpose of achieving the general objectives set out in Article 3.

Article 8

Complementarity

1. The Commission and the Member States shall ensure that support from the LIFE Programme is consistent with the policies and priorities of the Union and complementary to other financial instruments of the Union while also ensuring that simplification measures are implemented.

2. Operations financed under the LIFE Programme shall comply with Union and national law, including Union state aid rules. In particular, funding under the LIFE Programme which constitutes state aid within the meaning of Article 107(1) TFEU shall be notified by Member States to the Commission and may not be put into effect until it is approved by the Commission in accordance with Article 108(3) TFEU, unless it complies with a regulation adopted pursuant to Article 2(1) and Article 8 of Regulation (EC) No 994/98.

3. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination between the LIFE Programme and the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development, and the European Maritime and Fisheries Fund, in order to create synergies, particularly in the context of integrated projects, and to support the use of solutions, methods and approaches developed under the LIFE Programme. Such coordination shall take place within the framework established by the Common Provisions Regulation and through the Common Strategic Framework and the mechanisms set out in the Partnership Agreements as required by that Regulation.

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4. The Commission shall also ensure consistency and synergies, and avoid overlap between the LIFE Programme and other Union policies and financial instruments, in particular Horizon 2020 and those in the framework of the Union's external action.

TITLE II

THE SUB-PROGRAMMES

CHAPTER 1

The sub-programme for Environment

Article 9

Priority areas of the sub-programme for Environment

1. The sub-programme for Environment shall have three priority areas:

(a) Environment and Resource Efficiency;

(b) Nature and Biodiversity;

(c) Environmental Governance and Information.

2. The priority areas referred to in paragraph 1 encompass the thematic priorities set out in Annex III.

The Commission shall be empowered to adopt delegated acts, where necessary, in accordance with Article 29 to add, delete or amend the thematic priorities set out in Annex III based on the following criteria:

(a) the priorities set out in the 7th Environment Action Programme;

(b) the specific objectives set out for each priority area referred to in Articles 10, 11 and 12;

(c) the experience gathered in the implementation of the multiannual work programme referred to in Article 24;

(d) the experience gathered in the implementation of the integrated projects;

(e) the priorities derived from new Union environmental legislation adopted after 23 December 2013; or

(f) the experience gathered in the implementation of existing Union environmental legislation and policy.

The Commission shall review and, if necessary, revise the thematic priorities set out in Annex III at the latest by the mid-term evaluation of the LIFE Programme referred to in point (a) of Article 27(2).

3. ►**M1** At least 60,5 % of the budgetary resources allocated to projects supported by way of action grants under the sub- programme for Environment shall be dedicated to projects supporting the conservation of nature and biodiversity. ◄

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4. The Commission shall be empowered to adopt delegated acts in accordance with Article 29 in order to increase the percentage referred to in paragraph 3 of this Article by a maximum of 10 %, provided that the total funds requested over two consecutive years by way of proposals that fall under the priority area of Nature and Biodiversity and that meet minimum quality requirements exceed by more than 20 % the corresponding amount calculated for the two years preceding those years.

Article 10

Specific objectives for the priority area Environment and Resource Efficiency

The specific objectives of the sub-programme for Environment for the priority area Environment and Resource Efficiency shall in particular be:

(a) to develop, test and demonstrate policy or management approaches, best practices and solutions, including development and demonstration of innovative technologies, to environmental challenges, suitable for being replicated, transferred or mainstreamed, including with respect to the link between the environment and health, and in support of resource efficiency-related policy and legislation, including the Roadmap to a Resource Efficient Europe;

(b) to support the application, development, testing and demonstration of integrated approaches for the implementation of plans and programmes pursuant to Union environmental policy and legislation, primarily in the areas of water, waste and air;

(c) to improve the knowledge base for the development, implementation, assessment, monitoring and evaluation of Union environmental policy and legislation, and for the assessment and monitoring of the factors, pressures and responses that impact on the environment within and outside the Union.

Article 11

Specific objectives for the priority area Nature and Biodiversity

The specific objectives of the sub-programme for Environment for the priority area Nature and Biodiversity shall in particular be:

(a) to contribute to the development and implementation of Union policy and legislation in the area of nature and biodiversity, including the Union Biodiversity Strategy to 2020, and Directives 92/43/EEC and 2009/147/EC, in particular by applying, developing, testing and demonstrating approaches, best practices and solutions;

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(b) to support the further development, implementation and management of the Natura 2000 network set up under Article 3 of Directive 92/43/EEC, in particular the application, development, testing and demonstration of integrated approaches for the implementation of the prioritised action frameworks prepared on the basis of Article 8 of that Directive;

(c) to improve the knowledge base for the development, implementation, assessment, monitoring and evaluation of Union nature and biodiversity policy and legislation, and for the assessment and monitoring of the factors, pressures and responses that impact on nature and biodiversity within and outside the Union.

Article 12

Specific objectives for the priority area Environmental Governance and Information

The specific objectives of the sub-programme for Environment for the priority area Environmental Governance and Information shall in particular be:

(a) to promote awareness raising on environmental matters, including generating public and stakeholder support of Union policy-making in the field of the environment, and to promote knowledge on sustainable development and new patterns for sustainable consumption;

(b) to support communication, management, and dissemination of information in the field of the environment, and to facilitate knowledge sharing on successful environmental solutions and practice, including by developing cooperation platforms among stakeholders and training;

(c) to promote and contribute to more effective compliance with and enforcement of Union environmental legislation, in particular by promoting the development and dissemination of best practices and policy approaches;

(d) to promote better environmental governance by broadening stakeholder involvement, including NGOs, in consultation on and implementation of policy.

CHAPTER 2

The sub-programme for Climate Action

Article 13

Priority areas of the sub-programme for Climate Action

The sub-programme for Climate Action shall have three priority areas:

(a) Climate Change Mitigation;

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(b) Climate Change Adaptation;

(c) Climate Governance and Information.

Article 14

Specific objectives for the priority area Climate Change Mitigation

With a view to contributing to the reduction of greenhouse gas emissions, the priority area Climate Change Mitigation shall in particular have the following specific objectives:

(a) to contribute to the implementation and development of Union policy and legislation on climate change mitigation, including mainstreaming across policy areas, in particular by developing, testing and demonstrating policy or management approaches, best practices and solutions for climate change mitigation;

(b) to improve the knowledge base for the development, assessment, monitoring, evaluation and implementation of effective climate change mitigation actions and measures and to enhance the capacity to apply that knowledge in practice;

(c) to facilitate the development and implementation of integrated approaches, such as for climate change mitigation strategies and action plans, at local, regional or national level;

(d) to contribute to the development and demonstration of innovative climate change mitigation technologies, systems, methods and instruments that are suitable for being replicated, transferred or mainstreamed.

Article 15

Specific objectives for the priority area Climate Change Adaptation

With a view to contributing to supporting efforts leading to increased resilience to climate change, the priority area Climate Change Adaptation shall in particular have the following specific objectives:

(a) to contribute to the development and implementation of Union policy on climate change adaptation, including mainstreaming across policy areas, in particular by developing, testing and demonstrating policy or management approaches, best practices and solutions for climate change adaptation, including, where appropriate, ecosystem-based approaches;

(b) to improve the knowledge base for the development, assessment, monitoring, evaluation and implementation of effective climate change adaptation actions and measures, prioritising, where appropriate, those applying an ecosystem-based approach, and to enhance the capacity to apply that knowledge in practice;

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(c) to facilitate the development and implementation of integrated approaches, such as for climate change adaptation strategies and action plans, at local, regional or national level, prioritising, where appropriate, ecosystem-based approaches;

(d) to contribute to the development and demonstration of innovative climate change adaptation technologies, systems, methods and instruments that are suitable for being replicated, transferred or mainstreamed.

Article 16

Specific objectives for the priority area Climate Governance and Information

The specific objectives of the priority area Climate Governance and Information shall in particular be:

(a) to promote awareness raising on climate matters, including generating public and stakeholder support of Union policy-making in the field of the climate, and to promote knowledge on sustainable development;

(b) to support communication, management, and dissemination of information in the field of the climate and to facilitate knowledge sharing on successful climate solutions and practice, including by developing cooperation platforms among stakeholders and training;

(c) to promote and contribute to more effective compliance with and enforcement of Union climate legislation, in particular by promoting the development and dissemination of best practices and policy approaches;

(d) to promote better climate governance by broadening stakeholder involvement, including NGOs, in consultation on and implementation of policy.

TITLE III

COMMON IMPLEMENTING PROVISIONS

CHAPTER 1

Funding

Article 17

Types of funding

1. Union funding may take the following legal forms:

(a) grants;

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(b) public procurement contracts;

(c) contributions to financial instruments in accordance with provisions on financial instruments under Regulation (EU, Euratom) No 966/2012, in particular Articles 139 and 140 thereof, and with operational requirements set out in specific Union acts;

(d) any other interventions needed for the purpose of achieving the general objectives set out in Article 3.

2. The Commission shall implement this Regulation in accordance with Regulation (EU, Euratom) No 966/2012.

3. Funding under this Regulation which constitutes state aid within the meaning of Article 107(1) TFEU shall be implemented in a way consistent with the relevant Union state aid rules.

4. At least 81 % of the budgetary resources for the LIFE Programme shall be allocated to projects supported by way of action grants or, where appropriate, financial instruments as referred to in point (c) of paragraph 1.

The Commission may include those financial instruments as part of the multiannual work programme referred to in Article 24, subject to an ex-ante evaluation as referred to in point (f) of Article 140(2) of Regulation (EU, Euratom) No 966/2012.

5. A maximum of 30 % of the budgetary resources allocated to action grants in accordance with paragraph 4 may be allocated to integrated projects. That maximum percentage shall be re-evaluated in the framework of the mid-term evaluation of the LIFE Programme referred to in point (a) of Article 27(2) and accompanied, if appropriate, by a legislative proposal.

Article 18

Projects

Action grants may finance the following projects:

(a) pilot projects;

(b) demonstration projects;

(c) best practice projects;

(d) integrated projects;

(e) technical assistance projects;

(f) capacity-building projects;

(g) preparatory projects;

(h) information, awareness, and dissemination projects;

(i) any other projects needed for the purpose of achieving the general objectives set out in Article 3.

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Article 19

Eligibility and award criteria and project selection

1. Projects referred to in Article 18 shall satisfy the eligibility criteria based on the definitions set out in Article 2 and the following award criteria:

(a) being of Union interest by making a significant contribution to the achievement of one of the general objectives of the LIFE Programme set out in Article 3 as well as the specific objectives for the priority areas listed in Article 9, the thematic priorities set out in Annex III, or the specific objectives for the priority areas listed in Article 13;

(b) ensuring a cost-effective approach and being technically and financially coherent; and

(c) being sound in the proposed implementation.

2. The award of projects shall be subject to the projects meeting minimum quality requirements in conformity with the relevant provisions of Regulation (EU, Euratom) No 966/2012.

3. Projects financed by the LIFE Programme under one priority area shall avoid undermining environmental or climate objectives in another priority area and, where possible, promote synergies between different objectives as well as the use of green public procurement.

4. The Commission shall ensure geographical balance for integrated projects by indicatively allocating at least three integrated projects to each Member State, ensuring at least one integrated project under the sub-programme for Environment and at least one integrated project under the sub-programme for Climate Action during the LIFE programming period referred to in Article 1.

Integrated projects shall be distributed with a view to meeting the targets set in accordance with point (c) of Article 24(2) for each of the areas referred to in point (d) of Article 2.

In order to evaluate compliance with the provision of mobilisation of Union, national or private funds referred to in point (d) of Article 2, proposals for integrated projects shall be accompanied by:

(a) at the first stage of the application process: a financial plan; and

(b) at the second stage of the application process: at least one letter of intent indicating the extent to which other relevant Union, national or private funding sources are to be mobilised, and specifying such sources of funding.

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5. The Commission shall, for the duration of the first multiannual work programme, ensure geographical balance for projects other than integrated projects submitted under the sub-programme for Environment, by proportionately distributing funds among all Member States according to indicative national allocations established in accordance with the criteria set out in Annex I. Where indicative national allocations are not applicable, projects shall be selected exclusively on the basis of merit.

6. If the sum of co-financing that is necessary for funding projects, other than integrated projects, that are submitted by a Member State, and that are on the list compiled by the Commission at the end of the selection procedure is less than the indicative allocation for that Member State, the Commission shall, subject to the conditions laid down in paragraphs 1 and 2 being met, use the balance of that indicative national allocation to co-finance those projects submitted by other Member States, excluding projects in OCTs, that make the greatest contribution to the achievement of the general objectives set out in Article 3.

When presenting the list of projects to be co-financed, the Commission shall report to the Committee for the LIFE Programme for the Environment and Climate Action on how it took into account the allocation criteria established in accordance with paragraphs 4 and 5.

7. The Commission shall have special regard to transnational projects where transnational cooperation is essential to guarantee environmental protection and climate objectives, and shall endeavour to ensure that at least 15 % of the budgetary resources dedicated to projects are allocated to transnational projects. The Commission shall consider the award of funding to transnational projects even in cases where the indicative national allocation balance of one or more Member States participating in those transnational projects has been exceeded.

8. During the first multiannual work programme, a Member State shall be eligible for funding for one capacity-building project up to an amount of EUR 1 000 000 provided it meets one of the following criteria:

(a) the Member State's average absorption level of its indicative national allocation for the years 2010, 2011 and 2012, as established under Article 6 of Regulation (EC) No 614/2007, is below 70 %;

(b) the Member State's GDP per capita in 2012 was below 90 % of the Union average; or

(c) the Member State acceded to the Union after 1 January 2013.

During the second multiannual work programme, a Member State shall be eligible for funding for one capacity-building project up to an amount of EUR 750 000 provided it meets the following criteria:

(a) the Member State's average absorption level of its indicative national allocation for the years 2014, 2015 and 2016, referred to in paragraph 5, is below 70 %; and

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(b) the Member State's average absorption level of its indicative national allocation for the years 2014, 2015 and 2016 has increased compared to the average absorption level for the years 2010, 2011 and 2012.

In order to be eligible for funding for capacity-building projects, a Member State shall commit to maintaining resources dedicated to the LIFE Programme, including inter alia staffing levels, at levels that are no lower than those in place in 2012, for the duration of the relevant multiannual work programme. That commitment shall be set out in the capacity-building plan referred to in paragraph 9.

By way of exception to the eligibility provisions of the first and second subparagraphs and for the entire duration of the LIFE Programme, a Member State shall be ineligible for funding for capacity-building projects if its GDP per capita in 2012 was above 105 % of the Union average. Funding for capacity-building projects shall be limited to one project per Member State per multiannual work programme.

9. The Commission shall establish a fast-track award procedure for all capacity-building projects. Applications for such capacity-building projects may be submitted as from 23 December 2013. Applications shall be based on a capacity-building plan to be agreed between the Member State and the Commission outlining the interventions to be funded by the LIFE Programme in order to develop the Member State's capacity to submit successful applications for funding for projects under the sub-programmes for Environment and Climate Action. Such interventions may include, but shall not be limited to:

(a) recruitment of new personnel and training for LIFE national or regional contact points;

(b) facilitating exchanges of experience and best practices and promoting the dissemination and use of results of projects under the LIFE Programme;

(c) 'train the trainer' approaches;

(d) exchange and secondment programmes between public authorities in Member States, in particular 'best in class' exchange activities.

The interventions covered by the capacity-building plan may include the procurement of experts to address ad-hoc gaps in technical and process capability, but may not include the procurement of experts whose primary function is the drafting of proposals for submission under the annual calls for proposals.

The capacity-building plan shall also outline estimates for the costs of such interventions.

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Article 20

Co-financing rates and eligibility of costs for projects

1. The maximum co-financing rates for the projects referred to in Article 18 shall be:

(a) for the duration of the first multiannual work programme, up to 60 % of eligible costs for all projects, other than those specified in point (c), funded under both sub-programmes for Environment and Climate Action;

(b) for the duration of the second multiannual work programme, up to 55 % of eligible costs for all projects, other than those specified in point (c), funded under both sub-programmes for Environment and Climate Action;

(c) for the entire duration of the LIFE Programme:

(i) up to 60 % of eligible costs for projects referred to in points (d), (e) and (g) of Article 18;

(ii) subject to point (iii), up to 60 % of eligible costs for projects funded under the priority area Nature and Biodiversity in the sub-programme for Environment;

(iii) up to 75 % of eligible costs for projects funded under the priority area Nature and Biodiversity in the sub-programme for Environment that concern priority habitats or species for the implementation of Directive 92/43/EEC or the species of birds considered as a priority for funding by the Committee for Adaptation to Technical and Scientific Progress set up pursuant to Article 16 of Directive 2009/147/EC when necessary to achieve the conservation objective;

(iv) up to 100 % of eligible costs for projects referred to in point (f) of Article 18.

2. Conditions for the eligibility of costs are laid down in Article 126 of Regulation (EU, Euratom) No 966/2012. Such costs shall include VAT and staff costs.

The Commission shall provide an overview, in the mid-term and ex-post evaluations of the LIFE Programme, of VAT reimbursements per Member State that project beneficiaries under the LIFE Programme have requested at the final payment stage.

3. Costs relating to the purchase of land shall be considered eligible for Union financing for projects referred to in Article 18 provided that:

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(a) the purchase will contribute to improving, maintaining and restoring the integrity of the Natura 2000 network set up under Article 3 of Directive 92/43/EEC, including through improving connectivity by the creation of corridors, stepping stones, or other elements of green infrastructure;

(b) land purchase is the only or most cost-effective way of achieving the desired conservation outcome;

(c) the land purchased is reserved in the long term for uses consistent with the objectives set out in Articles 11, 14 or 15; and

(d) the Member State concerned shall, by way of transfer or otherwise, ensure the long-term assignment of such land to nature conservation purposes.

Article 21

Operating grants

1. Operating grants shall support certain operational and administrative costs of non-profit making entities which pursue an aim of general Union interest, are primarily active in the field of environment or climate action and are involved in the development, implementation and enforcement of Union policy and legislation.

2. The maximum rate of Union co-financing for operating grants referred to in paragraph 1 shall be 70 % of eligible costs.

Article 22

Other types of activities

The LIFE Programme may finance activities implemented by the Commission in support of the initiation, implementation and mainstreaming of Union environmental and climate policies and legislation for the purpose of achieving the general objectives set out in Article 3. Such activities may include:

(a) information and communication, including awareness raising campaigns. Financial resources allocated to communication activities pursuant to this Regulation shall also cover corporate communication regarding the political priorities of the Union, as well as regarding the implementation and transposition status of all major Union environmental and climate legislation;

(b) studies, surveys, modelling and scenario building;

(c) preparation, implementation, monitoring, checking and evaluation of projects, policies, programmes and legislation;

(d) workshops, conferences and meetings;

(e) networking and best-practice platforms;

(f) any other activities needed for the purpose of achieving the general objectives referred to in Article 3.

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Article 23

Beneficiaries

The LIFE Programme may fund public and private bodies.

With a view to ensuring the visibility of the LIFE Programme, the beneficiaries shall publicise the LIFE Programme and the results of their projects, always mentioning the Union support received. The LIFE Programme logo, depicted in Annex II, shall be used for all communication activities and appear on notice boards at strategic places visible to the public. All durable goods acquired in the framework of the LIFE Programme shall bear the LIFE Programme logo except in cases specified by the Commission.

CHAPTER 2

Implementing measures

Article 24

Multiannual work programmes

1. The Commission shall, by means of implementing acts, adopt multiannual work programmes for the LIFE Programme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 30(2).

The duration of the first multiannual work programme shall be four years and the duration of the second multiannual work programme shall be three years.

2. Each multiannual work programme shall specify, in line with the general objectives set out in Article 3, the following:

(a) the allocation of funds between priority areas and between different types of funding within each sub-programme in conformity with Articles 9(3), 17(4) and 17(5). No further pre-allocation for project action grants between or within each priority area shall take place, with the exception of technical assistance projects and capacity-building projects;

(b) the project topics implementing the thematic priorities set out in Annex III for projects to be financed for the period covered by the multiannual work programme;

(c) qualitative and quantitative outcomes, indicators and targets for each priority area and type of projects for the period covered by the multiannual work programme in accordance with the performance indicators pursuant to Article 3(3) and the specific objectives set out for each priority area in Articles 10, 11, 12, 14, 15 and 16;

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(d) the technical methodology for the project selection procedure and selection and award criteria for grants in conformity with Articles 2 and 19 of this Regulation and the relevant provisions of Regulation (EU, Euratom) No 966/2012;

(e) indicative timetables for the calls for proposals for the period covered by the multiannual work programme.

3. In the framework of the multiannual work programmes the Commission shall publish annual calls for proposals for the priority areas listed in Article 9(1) and Article 13. The Commission shall ensure that unused funds in a given call for proposals are reallocated between the different types of projects referred to in Article 18.

4. The Commission shall, by means of an implementing act, review the multiannual work programme at the latest by the mid-term evaluation of the LIFE Programme. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(2).

Article 25

Methods of implementation

The Commission shall implement the activities in pursuit of the general objectives set out in Article 3 of this Regulation in accordance with the methods of implementation of the budget set out in Article 58 of Regulation (EU, Euratom) No 966/2012, in particular direct or indirect management by the Commission on a centralised basis, or joint management with international organisations.

Article 26

Administrative and technical assistance

The financial allocation of the LIFE Programme may also cover necessary expenditure relating to preparatory, monitoring, control, audit, communication and evaluation activities required directly for the management of the LIFE Programme and the achievement of its general objectives set out in Article 3.

The Commission shall, on a regular basis and in collaboration with the LIFE national contact points, organise seminars and workshops, publish lists of projects funded under the LIFE Programme or undertake other activities to facilitate exchanges of experience, knowledge and best practices on all projects and the replication and transfer of project results across the Union. To that end, the Commission shall undertake activities targeting the dissemination of project results amongst LIFE beneficiaries and others with a specific focus, where relevant, on Member States with a low uptake of LIFE funds and shall facilitate the communication and cooperation between completed or ongoing projects with new project beneficiaries, applicants or stakeholders in the same field.

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The Commission shall also organise specific seminars, workshops or, where appropriate, other types of activities at least every two years to facilitate exchanges of experience, knowledge and best practices as regards the design, preparation and implementation of integrated projects as well as on the effectiveness of the assistance provided through technical assistance projects. Those activities shall involve national or regional administrations managing other Union funds and other relevant stakeholders.

Article 27

Monitoring and evaluation

1. The Commission shall regularly monitor and report on the implementation of the LIFE Programme (and its sub-programmes), including the amount of climate-related expenditure and biodiversity-related expenditure. It shall also assess synergies between the LIFE Programme and other complementary Union programmes, and in particular between its sub-programmes. The Commission shall calculate indicative national allocations, in accordance with the criteria set out in Annex I, for the duration of the second multiannual work programme exclusively for the purposes of benchmarking Member States' performance.

2. The Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions the following reports:

(a) no later than 30 June 2017, an external and independent mid-term evaluation report of the LIFE Programme (and its sub-programmes), including qualitative and quantitative aspects of its implementation, the amount of climate-related expenditure and biodiversity-related expenditure, the extent to which synergies between the objectives have been reached, and its complementarity with other relevant Union programmes, the achievement of the objectives of all the measures (at the level of results and impacts, when possible), the efficiency of the use of resources and the Union added value of the Programme, with a view to taking a decision on the renewal, modification or suspension of the measures. That mid-term evaluation report shall also include a quantitative and qualitative analysis of the contribution of the LIFE Programme to the conservation status of habitats and species listed under Directives 92/43/EEC and 2009/147/EC. The evaluation shall additionally address the scope for simplification, its internal and external coherence, the continued relevance of all objectives, as well as the contribution of the measures under the LIFE Programme to the Europe 2020 Strategy objectives and targets and to sustainable development. It shall take into account evaluation results on the long-term impact of LIFE+. The mid-term evaluation report shall be accompanied by remarks by the Commission including the manner in which the findings of the mid-term evaluation shall be taken into account when implementing the LIFE Programme, and, in particular, the extent to which the thematic priorities set out in Annex III need to be modified.

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The mid-term evaluation report shall contain or be accompanied by a thorough assessment of the extent and quality of the demand for, planning and implementation of integrated projects. A special focus shall be given to the realised or expected success of integrated projects in leveraging other Union funds, taking into account, in particular, the benefits of increased coherence with other Union funding instruments, the extent to which stakeholders have been involved and the extent to which previous projects under LIFE+ have been or are expected to be covered by integrated projects.

(b) no later than 31 December 2023, an external and independent ex-post evaluation report covering the implementation and results of the LIFE Programme (and its sub-programmes), including the amount of climate-related expenditure and biodiversity-related expenditure, the extent to which the LIFE Programme as a whole, and each of its sub-programmes, has achieved its objectives, the extent to which synergies between the various objectives have been realised, and the contribution of the LIFE Programme to achieving the Europe 2020 Strategy objectives and targets. The ex-post evaluation report shall also examine the extent to which integration of environment and climate objectives into other Union policies has been achieved and, to the extent possible, the economic benefit achieved through the LIFE Programme as well as the impact and added value for the communities involved.

3. The Commission shall make the results of the evaluations undertaken pursuant to this Article publicly available.

Article 28

Protection of the financial interests of the Union

1. The Commission shall take appropriate measures to ensure that, where activities financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts unduly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.

2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on-the-spot checks, over all beneficiaries, contractors and subcontractors who have received Union funds under the LIFE Programme.

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The European Anti-fraud Office (OLAF) may carry out on-the-spot checks and inspections on economic operators concerned directly or indirectly by such funding in accordance with the procedures laid down in Council Regulation (Euratom, EC) No 2185/96 ([1]) with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract concerning Union funding.

Without prejudice to the first and second subparagraphs, cooperation agreements with third countries and international organisations and grant agreements, grant decisions and contracts resulting from the implementation of this Regulation shall expressly empower the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot checks and inspections.

3. Beneficiaries of Union funds shall keep available to the Commission, for a period of five years following the last payment in respect of any project, all supporting documents regarding the expenditure on that project.

TITLE IV

FINAL PROVISIONS

Article 29

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 3(3), 9(2) and 9(4) shall be conferred on the Commission for a period of seven years from 23 December 2013.

3. The delegation of power referred to in Articles 3(3), 9(2) and 9(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

([1]) Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on–the–spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

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5. A delegated act adopted pursuant to Articles 3(3), 9(2) and 9(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 30

Committee procedure

1. The Commission shall be assisted by the Committee for the LIFE Programme for the Environment and Climate Action. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 31

Repeal

Regulation (EC) No 614/2007 is repealed with effect from 1 January 2014.

References to the repealed Regulation shall be construed as references to this Regulation.

Article 32

Transitional measures

1. Notwithstanding the first paragraph of Article 31, measures started before 1 January 2014 pursuant to Regulation (EC) No 614/2007 shall, until their completion, continue to be governed by that Regulation and shall comply with the technical provisions defined therein. The Committee referred to in Article 30(1) of this Regulation shall replace the Committee referred to in Article 13(1) of Regulation (EC) No 614/2007 from 23 December 2013.

2. The financial allocation for the LIFE Programme may also cover technical and administrative assistance expenses, including any obligatory monitoring, communication and evaluation required pursuant to Regulation (EC) No 614/2007 following its expiry, to ensure the transition between the measures adopted pursuant to Regulation (EC) No 614/2007 and the LIFE Programme.

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3. The amounts needed within the financial envelope to provide for monitoring, communication and auditing measures in the period following 31 December 2020 shall be deemed to be confirmed only if they are consistent with the financial framework applicable from 1 January 2021.

4. The appropriations corresponding to assigned revenue arising from the repayment of amounts wrongly paid pursuant to Regulation (EC) No 614/2007 shall be used, in accordance with Article 21 of Regulation (EU, Euratom) No 966/2012, to finance the LIFE Programme.

Article 33

Entry into force

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX I

Criteria for establishing indicative national allocations for projects, other than integrated projects, submitted under the sub-programme for Environment

In line with the principles of solidarity and responsibility sharing, the Commission shall allocate funds among all Member States for the LIFE programming period referred to in Article 1 for projects, other than integrated projects, based on the following criteria:

(a) Population

(i) total population of each Member State (50 % weighting); and

(ii) population density of each Member State, up to a limit of twice the Union's average population density (5 % weighting)

(b) Nature and Biodiversity

(i) total area of Natura 2000 sites for each Member State expressed as a proportion of the total area of Natura 2000 (25 % weighting); and

(ii) proportion of a Member State's territory covered by Natura 2000 sites (20 % weighting).

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ANNEX II

The LIFE Programme logo



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ANNEX III

Thematic priorities for the sub-programme for Environment referred in Article 9

A. Priority area Environment and Resource Efficiency:

(a) Thematic priorities for Water, including the marine environment: activities for the implementation of the specific objectives for water set out in the Roadmap for a Resource-Efficient Europe and the 7th Environment Action Programme, in particular:

(i) integrated approaches for the implementation of Directive 2000/60/EC;

(ii) activities for the implementation of Directive 2007/60/EC of the European Parliament and of the Council ([1]);

(iii) activities for the implementation of the programme of measures of Directive 2008/56/EC with a view to achieving good environmental status of marine waters;

(iv) activities to ensure safe and efficient use of water resources, improving quantitative water management, preserving a high level of water quality and avoiding misuse and deterioration of water resources.

(b) Thematic priorities for Waste: activities for the implementation of the specific objectives for waste set out in the Roadmap for a Resource-Efficient Europe and the 7th Environment Action Programme, in particular:

(i) integrated approaches for the implementation of waste plans and programmes;

(ii) activities for the implementation and development of Union waste legislation, with particular emphasis on the first steps of the Union waste hierarchy (prevention, re-use and recycling);

(iii) activities for resource efficiency and lifecycle impact of products, consumption patterns and dematerialisation of the economy.

(c) Thematic priorities for Resource Efficiency, including soil and forests, and green and circular economy: activities for the implementation of the Roadmap for a Resource-Efficient Europe and of the 7th Environment Action Programme that are not covered by other thematic priorities referred to in this Annex, in particular:

(i) activities for industrial symbiosis and knowledge transfer, and development of new models for the shift towards a circular and green economy;

([1]) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (OJ L 288, 6.11.2007, p. 27).

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(ii) activities for the Soil Thematic Strategy (Commission Communication of 22 September 2006 entitled "Thematic Strategy for Soil Protection") with special emphasis on mitigation and compensation of soil sealing, and improved land use;

(iii) activities for forest monitoring and information systems, and to prevent forest fires.

(d) Thematic priorities for Environment and Health, including chemicals and noise: support activities for the implementation of the specific objectives for environment and health set out in the 7th Environment Action Programme, in particular:

(i) support activities for the implementation of Regulation (EC) No 1907/2006 of the European Parliament and of the Council [1] (REACH) and Regulation (EU) No 528/2012 of the European Parliament and of the Council [2] (Biocidal Products Regulation) to ensure a safer, more sustainable or economical use of chemicals (including nanomaterials);

(ii) support activities to facilitate the implementation of Directive 2002/49/EC of the European Parliament and of the Council [3] (Noise Directive) in order to achieve noise levels that do not give rise to significant negative impacts on and risks to human health;

(iii) support activities for avoiding major accidents in particular facilitating the implementation of Directive 2012/18/EU of the European Parliament and of the Council [4] (Seveso III Directive).

(e) Thematic priorities for Air quality and emissions, including urban environment: support activities for the implementation of the specific objectives for air and emissions in the Roadmap for a Resource-Efficient Europe and the 7th Environment Action Programme, in particular:

(i) integrated approaches to the implementation of Air quality legislation;

[1] Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 27).

[2] Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

[3] Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12).

[4] Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).

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(ii) support activities to facilitate compliance with Union air quality and related air emissions standards including Directive 2001/81/EC of the European Parliament and the Council [1] (National Emissions Ceilings Directive);

(iii) support activities for the enhanced implementation of Directive 2010/75/EU of the European Parliament and of the Council [2] (Industrial Emissions Directive) with a special emphasis on improving the process of defining and implementing best available techniques, ensuring easy public access to information and enhancing the contribution of the Industrial Emissions Directive to innovation.

B. Priority area Nature and Biodiversity:

(a) Thematic priorities for Nature: activities for the implementation of Directives 92/43/EEC and 2009/147/EC, in particular:

(i) activities aimed at improving the conservation status of habitats and species, including marine habitats and species, and bird species, of Union interest;

(ii) activities in support of the Natura 2000 network bio-geographical seminars;

(iii) integrated approaches for the implementation of prioritised action frameworks.

(b) Thematic priorities for Biodiversity: activities for the implementation of the Union Biodiversity Strategy to 2020, in particular:

(i) activities aimed at contributing to the achievement of Target 2;

(ii) activities aimed at contributing to the achievement of Targets 3, 4 and 5.

C. Priority area Environmental Governance and Information

(a) information, communication and awareness raising campaigns in line with the priorities of the 7th Environment Action Programme;

(b) activities in support of effective control process as well as measures to promote compliance in relation to Union environmental legislation, and in support of information systems and information tools on the implementation of Union environmental legislation.

[1] Directive 2001/81/EC of the European Parliament and the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

[2] Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

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Commission statements

Maximum amount that a single IP may receive

The Commission attaches high importance to ensuring a proportionate distribution of funds among integrated projects in order to fund as many integrated projects as possible and guarantee a balanced distribution of integrated projects among all Member States. In this context, the Commission will propose when discussing the draft work programme with the members of the LIFE committee the maximum amount that a single integrated project may receive. This proposal will be submitted as part of the methodology for project selection to be adopted as part of the multiannual work programme.

Status of funding Biodiversity in OCTs

The Commission attaches high importance to the protection of environment and biodiversity in Overseas Countries and Territories, as is illustrated by the Overseas Association Decision proposal which includes these sectors in the areas of cooperation between the European Union and OCTs and outlines the different actions which could be eligible for funding by the European Union in this regard.

The BEST preparatory action has been a successful initiative that has been embraced by OCTs and has delivered tangible results for biodiversity and ecosystem services. As BEST is drawing to a close, the Commission is favourably considering following up on it under one of the new instruments, namely Global Public Goods and Challenges programme under the Development Cooperation Instrument.

This specific possibility for funding biodiversity in OCTs will be complemented by the opportunities offered under Article 6 of the LIFE programme for the period 2014-2020.